The Employment Law Firm Cynthia L. Pollick, LLM I.D. No.: 83826 363 Laurel Street Pittston, PA 18640 (570) 654-9675

Attorney for Plaintiff

## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES J. GUARNIERI : CIVIL ACTION – LAW

Plaintiffs : JURY TRIAL DEMANDED

v. :

DURYEA BOROUGH, DURYEA, :

et al.

Defendants : NO. 05-1422

# THIRD AFFIDAVIT OF CYNTHIA L POLLICK, ESQUIRE IN SUPPORT OF PLAINTIFF GUARNIERI'S MOTION FOR ATTORNEY FEES AND COSTS

- I, Cynthia L. Pollick, Esquire, hereby declare as follows:
- 1. I spent an additional 32.60 hours at a rate of \$300.00, which comes to an additional amount of \$9,780.00, on this matter. (See Exhibit "F", Timesheets)
- 2. My Legal Assistants spent an additional 26.60 hours on this matter. Legal Assistants are billed at a rate of \$75.00, for an additional amount of \$1,995.00. (See Exhibit "F"). My Legal Researchers spent an additional 15.80

hours on this matter. Legal Researchers are billed at a rate of \$100.00, for an additional amount of \$1,580.

3. Plaintiff also incurred additional costs associated with this pursuing this case in the amount of \$25.71, which does not include the \$554.20 cost for the Trial Transcript that was included in the Bill of Costs. (See Exhibit "G")

The foregoing statements are true and correct to the best of my knowledge and are made pursuant to 28 U.S.C. § 1746 concerning unsworn falsifications to authorities.

<u>/s Cynthia L. Pollick</u> Cynthia L. Pollick, Esquire 2:40 PM 09/08/08

## EMPLOY LAW OFFICES OF C L POLLICK Time by Job Detail

April 28 through September 8, 2008

Date	Name	Duration	Notes	
Guarnieri, Charl	ie			
2008 - Legal			•	
6/6/2008	Legal Researcher/	1,50	Legal research on 62(f)	
6/8/2008	Legal Researcher/	1.30	Additional legal research on motion to stay - BIO	
6/9/2008	Legal Researcher/	1.50	Additional legal research on 62(f).	
6/10/2008	Legal Researcher/	2.50	Preparation of BIO to Motion to Stay.	
7/16/2008	Legal Researcherl	9,00	Legal research and drafting five of issues in BIO to JNOV.	
	.egal Researcher	15.80		
4/28/2008	sional Services Cynthia L Pollick	0.20	Correspondence with OP seeking concurrence in fee petition.	
5/1/2008	Cynthia L Pollick	0.20	TC from Bill Varley regarding claim and resolution.	
5/2/2008	Cynthia L Pollick	0.50	Receipt and review of Motion for Extension to File Brief in Support of Post-Trial Motions.	
5/5/2008	Cynthia L Pollick	0.20	TC from Bill regarding resolution - 2nd call; demanded written confirmation that I can speak with h	
5/5/2008	Cynthia L Pollick	0.20	TC with Charlie regarding adjuster.	
5/5/2008	Cynthia L Pollick Cynthia L Pollick	0.20 0.20	Correspondence from OP advising will be filing motion to stay; seeking concurrence.  Correspondence with OP advising do not concur in motion.	
5/5/2008 5/5/2008	Cynthia L Pollick	0.20	Receipt and review of Order granting OP's extension to file Briefs in Support of JNOV.	
5/5/2008	Cynthia L Pollick	0.40	Receipt and review of Brief in Support of Motion for Extension to File Post-Briefs.	
5/5/2008	Cynthia L Pollick	0.20	Correspondence from OP advising can speak with adjuster.	
5/5/2008	Cynthia L Pollick	0.50	Receipt and review OP's Motion for Stay on Enforcement of Judgments.	
5/5/2008	Cynthia L Pollick	0.20	Correspondence from OP regarding concurrence in Stay.	
5/5/2008	Cynthia L Pollick	0.20	Correspondence with OP advising do not concur.	
5/5/2008	Cynthia L Pollick	0.20 0.20	Correspondence from OP thanking me for getting back to them. TC with Bill regarding demand; advised amount would resolve case for.	
5/8/2008 5/8/2008	Cynthia L. Pollick Cynthia L. Pollick	0.20	TC with Charile advising of offer.	
5/8/2008	Cynthia L Pollick	0.20	Correspondence from Bill Varley regarding letter emailed.	
5/8/2008	Cynthia L Pollick	0.20	Correspondence from Bill Varley regarding settlement.	
5/9/2008	Cynthia L. Pollick	0.30	TC from Joshua of Verdict Search regarding jury verdict.	
5/12/2008	Cynthia L Pollick	0.20	TC with Bill Varley regarding settlement.	
5/13/2008	Cynthîa L Pollick	0,50	TC with Charlie regarding discussions about case and settlement discussions with adjuster.	
5/14/2008	Cynthia L Pollick	0.20 0.20	Correspondence from Laura advising transcript almost ready, do I want set.  Correspondence with Laura advising yes I want a full set.	
5/14/2008 5/15/2008	Cynthia L Pollick Cynthia L Pollick	0.50	Contespondente with Earlie autising yes I want a full set. Preparation of Bill of Costs.	
5/16/2008	Cynthia L Pollick	0.20	Correspondence from Laura attaching official transcripts.	
5/19/2008	Cynthia L. Pollick	1.00	Receipt, downloaded, and reviewed part of Trial Transcripts dealing with issues raised by OP's Moti	
5/23/2008	Cynthia L Pollick	0.50	Receipt and review of OP's objections to bill of costs.	
5/29/2008	Cynthia L Pollick	0.60	Receipt and review of OP's Brief in Support of Motion to Stay.	
5/30/2008	Cynthia L. Pollick	0.20	Correspondence from verdict search regarding verdict.	
6/2/2008 6/3/2008	Cynthia L Pollick	5.50 0,20	Preparation of Reply Brief to Motion for Attorney Fees. Scanned and redacted additional exhibits for Reply Brief.	
6/4/2008	Cynthia L Pollick Cynthia L Pollick	0.20	Receipt and review of docket notation that document is partially blank - refile; but that is how it	
6/12/2008	Cynthia L Pollick	0.20	Correspondence from Clerk's slaying bill of costs.	
7/1/2008	Cynthia L Pollick	0.30	Preparation of Motion for Extension.	
7/1/2008	Cynthia L Pollick	0.20	Correspondence with OP requesting concurrence in Extension of 10 days.	
7/2/2008	Cynthia L Pollick	0.20	Correspondence with OP regarding concurrence in page extension.	
7/2/2008	Cynthia L Pollick	0.20 0.20	Correspondence from OP requesting how many words.  Correspondence with OP advising don't know exact word count.	
7/2/2008 7/2/2008	Cynthia L Pollick Cynthia L Pollick	0.30	Preparation of Motion for Page Extension.	
7/2/2008	Cynthia L Pollick	0.20	Receipt and review of Order granting due date for brief of 7/19.	
7/7/2008	Cynthia L. Pollick	0.20	Receipt and review of Order granting 35 page extension.	
7/11/2008	Cynthia L Pollick	2.00	Preparation of BIO to JNOV.	
7/14/2008	Cynthia L Pollick	3.50	Additional preparation of BIO to JNOV.	
7/16/2008	Cynthia L Pollick	0,80	Additional preparation of BIO to JNOV.  Additional preparation of BIO to JNOV including finalized groupeneds.	
7/17/2008 7/31/2008	Cynthia L Pollick Cynthia L Pollick	4.60 1.70	Additional preparation of BIO to JNOV including finalized arguments.  Receipt and review of OP's Reply Brief to Post Trial Motions.	
8/4/2008	Cynthia L Politick	0,20	Receipt and review of OP's Supplemental Authority.  Receipt and review of OP's Supplemental Authority.	
9/2/2008	Cynthia L Pollick	0.60	Receipt and review of Judge's decision denying Motion for New Trial.	
9/2/2008	Cynthia L Pollick	0.30	TC with Charlie advising of decision.	
9/8/2008	Cynthia L Pollick	1.00	Preparation of additional affidavit along with time slips.	
	ofessional Services	31.40		
	ional Services:2008 Legal		TC from Bill Medicus reporting and	
5/2/2008 6/11/2008	Keliy E Moyer Keliy E Moyer	0.20 2.00	TC from Bill Varley regarding case. Preparation of summary of testimony from trial for BIO to JNOV.	
6/13/2008	Kelly E Moyer	1.20	Additional preparation of summary of testimony for BIO to JNOV.	
6/17/2008	Kelly E Moyer	3.00	Additional preparation of summary of testimony for BIO to JNOV.	
6/18/2008	Kelly E Moyer	3.60	Additional preparation of summary of testimony for BIO to JNOV.	
6/20/2008	Kelly E Moyer	4.00	Additional preparation of summary of testimony for BIO to JNOV.	
6/24/2008	Kelly E Moyer	4.00	Additional preparation of summary of testimony for BIO to JNOV.	
6/25/2008 6/27/2008	Kelly E Moyer Kelly E Moyer	3,00 2.00	Additional preparation of summary of testimony for BIO to JNOV.  Additional preparation of summary of testimony for BIO to JNOV.	
6/27/2008	Kelly E Moyer	1.30	Additional preparation of summary of testimony for BIO to JNOV.	
6/30/2008	Kelly E Moyer	1,00	Additional preparation of summary of testimony for BIO to JNOV.	
7/8/2008	Kelly E Moyer	1.30	Additional preparation of summary trial testimony for JNOV - 4/16.	
Total 2008 Pr	ofessional Services:200	26,60		
otal Guarnieri, Charlie		73.80		
AL		73,80		



9:16 AM

### **EMPLOY LAW OFFICES OF C L POLLICK**

09/09/08

Accrual Basis

#### April 29 through September 9, 2008

Туре	Date	Source Name	Memo	Account	Amount
Guarnieri, Charlie					
Bill	5/1/2008	Copying	Copying - 48 pages - LR	Printing and Reproduction	12.00
Bill	5/8/2008	Telephone	LD - OP	Telephone	0.75
Bill	5/12/2008	Telephone	LD - Bill Varley	Telephone	1.00
Bill	5/13/2008	Postage	·	Postage	0.42
Check	5/15/2008	Laura Boyanowski, R	Guarnieri Trial Transcript - Complete Set	7730 - Transcript costs	554,40
Bill	5/15/2008	ECF -	Copying charges - 19 pages - ECF	Printing and Reproduction	1.52
Bill	5/24/2008	ECF	Copying charges - 8 pages - ECF	Printing and Reproduction	0.64
Bill	6/4/2008	ECF	Copying charges - 12 pages - ECF	Printing and Reproduction	0,96
Bill	6/10/2008	Postage		Postage	0.42
Bill	6/17/2008	ECF	Copying charges - 10 pages - 3/5/08	Printing and Reproduction	0.80
B≋l	6/17/2008	ECF	Copying charges - 21 pages - 3/11/08	Printing and Reproduction	1.68
Bill	6/17/2008	ECF	Copying charges - 11 pages - 3/20/08	Printing and Reproduction	0.88
Bill	6/17/2008	ECF	Copying charges - 10 pages - 3/26/08	Printing and Reproduction	0.80
Bill	6/17/2008	ECF	Copying charges - 48 pages - 3/26/08	Printing and Reproduction	3.84
Total Guarnieri, Charlie					580.11
TAL	580.11				

-554.40

25.71

